

RESOLUTION 1736

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH BEND AND BENDIGO PROPERTIES, L.L.C. FOR THE SNOQUALMIE VALLEY ATHLETIC COMPLEX AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

WHEREAS, RCW 36.70B.170 and North Bend Municipal Code (NBMC) Section 18.27.010 authorize the City to enter into a development agreement with a person having ownership or control of real property within its jurisdiction; and

WHEREAS, Bendigo Properties, L.L.C. (“Developer”) owns or controls approximately 12 acres of land located between Bendigo Boulevard and Boalch Avenue NW, immediately south of Gardiner Creek (the “Property”); and

WHEREAS, the Developer desires to construct an athletic complex on the Property with approximately four multi-purpose fields and one indoor athletic facility (the “Project”); and

WHEREAS, the City Council desires to enter into a development agreement with the Developer (the “Agreement”) to allow construction of the Project in two phases, and to provide for vesting of development rights in order to maximize efficient use of resources at the least economic cost to the public and to reduce economic costs of development; and

WHEREAS, RCW 36.70B.200 requires that a development agreement be approved by ordinance or resolution after a public hearing; and

WHEREAS, a Determination of Non-Significance (“DNS”) was issued for the Agreement and the Project described therein on September 21, 2016, in accordance with Chapter 43.21C RCW, the State Environmental Policy Act; and

WHEREAS, a public hearing on the Agreement was held before the Planning Commission on October 13, 2016, in accordance with RCW 36.70B.200 and NBMC 18.27.025(A); and

WHEREAS, the North Bend Planning Commission considered the Agreement during meetings held on September 22, 2016, October 13, 2016, and October 20, 2016 and issued its recommendation approving the Agreement on October 20, 2016;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Approval and Authority to Execute: The City Council of the City of North Bend hereby approves the *Development Agreement between the City of North Bend and Bendigo Properties L.L.C. for the Snoqualmie Valley Athletic Complex*, in the form attached hereto as **Exhibit A**, and authorizes the Mayor to execute the same.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF NOVEMBER, 2016.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Effective: November 1, 2016
Posted: November 2, 2016

Susie Oppedal, City Clerk